

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

<b>IN RE: NATIONAL PRESCRIPTION</b>	)	<b>MDL 2804</b>
<b>OPIATE LITIGATION</b>	)	
	)	<b>Case No. 1:17-md-2804</b>
<i>This Document Relates To:</i>	)	
	)	<b>1:18-op-45820-DAP</b>
<b>BON SECOURS</b>	)	
<b>HEALTH SYSTEM, INC.; BON</b>	)	<b>Judge Dan Aaron Polster</b>
<b>SECOURS-RICHMOND COMMUNITY</b>	)	
<b>HOSPITAL, INCORPORATED; BON</b>	)	<b>SHORT FORM FOR</b>
<b>SECOURS DEPAUL MEDICAL</b>	)	<b>SUPPLEMENTING COMPLAINT AND</b>
<b>CENTER, INC.; BON SECOURS-</b>	)	<b>AMENDING DEFENDANTS AND</b>
<b>MEMORIAL REGIONAL MEDICAL</b>	)	<b>JURY DEMAND</b>
<b>CENTER, INC.; BON SECOURS-ST.</b>	)	
<b>FRANCIS MEDICAL CENTER, INC.;</b>	)	
<b>BON SECOURS-ST. MARY'S</b>	)	
<b>HOSPITAL OF RICHMOND, INC.; BON</b>	)	
<b>SECOURS-VIRGINIA</b>	)	
<b>HEALTHSOURCE, INC.;</b>	)	
<b>CHESAPEAKE HOSPITAL</b>	)	
<b>CORPORATION; MARY</b>	)	
<b>IMMACULATE HOSPITAL,</b>	)	
<b>INCORPORATED, MARYVIEW</b>	)	
<b>HOSPITAL</b>	)	
	)	
<b>V.</b>	)	
	)	
<b>ACTAVIS PHARMA, INC. F/K/A</b>	)	
<b>WATSON PHARMA, INC.; ALLERGAN</b>	)	
<b>PLC, F/K/A ACTAVIS PLC; WATSON</b>	)	
<b>LABORATORIES, INC.; ACTAVIS,</b>	)	
<b>LLC; ALLERGAN FINANCE LLC</b>	)	
<b>F/K/A ACTAVIS, INC. F/K/A WATSON</b>	)	
<b>PHARMACEUTICALS, INC.;</b>	)	
<b>ADVANTAGE LOGISTICS;</b>	)	
<b>AMERICAN SALES COMPANY;</b>	)	
<b>AMERIDOSE, LLC;</b>	)	
<b>AMERISOURCEBERGEN DRUG</b>	)	
<b>CORPORATION; AMNEAL</b>	)	
<b>PHARMACEUTICALS, LLC; ANDA,</b>	)	
<b>INC.; APOTEX CORP.; ASSOCIATED</b>	)	
<b>PHARMACIES, INC.; AUBURN</b>	)	
<b>PHARMACEUTICAL COMPANY;</b>	)	
<b>BEDFORD LABORATORIES;</b>	)	

BLOODWORTH WHOLESALE )  
DRUGS, INC.; CARDINAL HEALTH, )  
INC.; CEDARDALE DISTRIBUTORS )  
LLC D/B/A GEN-SOURCE RX; CVS )  
HEALTH CORPORATION; ECKERD )  
CORPORATION; ECR )  
PHARMACEUTICALS CO., INC.; )  
EMERGENCY MEDICAL PRODUCTS, )  
INC.; ENDO HEALTH SOLUTIONS, )  
INC.; ENDO PHARMACEUTICALS, )  
INC.; ETHEX CORPORATION; )  
HOSPIRA, INC.; JANSSEN )  
PHARMACEUTICALS, INC.; )  
JOHNSON & JOHNSON; KEYSOURCE )  
MEDICAL; THE KROGER CO.; KVK- )  
TECH, INC.; MCKESSON )  
CORPORATION; MEDISCA INC.; )  
MIDWEST VETERINARY SUPPLY )  
INC.; MWI VETERINARY SUPPLY; )  
MYLAN PHARMACEUTICALS, INC.; )  
N.C. MUTUAL WHOLESALE DRUG )  
CO. A/K/A MUTUAL DRUG; )  
OMNICARE DISTRIBUTION CENTER )  
LLC; ORTHO-MCNEIL-JANSSEN )  
PHARMACEUTICALS, INC. N/K/A )  
JANSSEN PHARMACEUTICALS, INC.; )  
JANSSEN PHARMACEUTICA INC., )  
N/K/A JANSSEN )  
PHARMACEUTICALS, INC.; )  
NORAMCO, INC.; PAR )  
PHARMACEUTICAL; PAR )  
PHARMACEUTICAL COMPANIES, )  
INC.; PATIENT FIRST )  
CORPORATION; PATTERSON )  
LOGISTICS SERVICES, INC.; )  
PATTERSON VETERINARY SUPPLY )  
INC.; PENN VETERINARY SUPPLY; )  
PHARMEDIUM SERVICES LLC; )  
PURDUE PHARMA L.P.; PURDUE )  
PHARMA, INC.; PURDUE FREDERICK )  
COMPANY, INC.; RHODES )  
PHARMACEUTICALS; RITE AID )  
CORPORATION; SANDOZ INC.; )  
SMITH DRUG COMPANY A/K/A J M )  
SMITH CORPORATION; SPECGX, )  
LLC; SUN PHARMACEUTICAL )

INDUSTRIES, INC.; TEVA )  
PHARMACEUTICALS USA, INC.; )  
TEVA PHARMACEUTICAL )  
INDUSTRIES, LTD.; THE HARVARD )  
DRUG GROUP, L.L.C.; TOP RX, LLC; )  
WALGREENS BOOTS ALLIANCE, )  
INC.; WAL-MART INC.; WEST-WARD )  
PHARMACEUTICALS CORP. K/N/A )  
HIKMA PHARMACEUTICALS, INC.; )  
CEPHALON, INC.; MALLINCKRODT )  
LLC; MALLINCKRODT PLC )

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Plaintiffs submit this supplemental pleading and Amended Complaint incorporating as if fully set forth herein their own prior pleadings and, if indicated below, the common factual allegations identified and the RICO causes of action included in the Corrected Second Amended Complaint and Jury Demand in the case of *The County of Summit, Ohio, et al., v. Purdue Pharma L.P., et al.*, Case No. 1:18-op-45090 (“*Summit County Pleadings*”), *In Re National Prescription Opiate Litigation*, in the United States District Court for the Northern District of Ohio, Doc. ##: 513, 514,<sup>1</sup> and as may be amended in the future, and any additional claims asserted herein. Plaintiffs also hereby amend their complaint to alter the defendants against which claims are asserted as identified below. To the extent defendants were previously sued in Plaintiffs’ existing complaint and they are no longer identified as defendants herein, they have been dismissed without prejudice except as limited by CMO-1, Section 6(e). Doc. #: 232.

#### **INCORPORATION BY REFERENCE OF EXISTING COMPLAINT**

1. Plaintiffs’ Existing Complaint, *Bon Secours Health System, Inc., et al. v. Purdue Pharma L.P., et al.* (1:18-op-45820-DAP), as well as the *Summit County Pleadings* are expressly

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<sup>1</sup> Docket #: 513 is the redacted Summit Second Amended Complaint and Docket #: 514 is the unredacted Summit Corrected Second Amended Complaint filed under seal in Case No. 1:17-md-02804-DAP. The redacted Summit Corrected Second Amended Complaint is also filed in its individual docket, Case No. 1:18-op-45090-DAP, Docket #: 24.

incorporated by reference to this Short Form as if fully set forth herein except to the extent that allegations regarding certain defendants that are not listed in section 2 below are dismissed without prejudice.

**PARTIES – DEFENDANTS**

2. Having reviewed the relevant ARCOS data, Plaintiff asserts claims against the following Defendants:

ACTAVIS PHARMA, INC. F/K/A WATSON PHARMA, INC.; ALLERGAN PLC, F/K/A ACTAVIS PLC; WATSON LABORATORIES, INC.; ACTAVIS, LLC; ALLERGAN FINANCE LLC F/K/A ACTAVIS, INC. F/K/A WATSON PHARMACEUTICALS, INC.; ADVANTAGE LOGISTICS; AMERICAN SALES COMPANY; AMERIDOSE, LLC; AMERISOURCEBERGEN DRUG CORPORATION; AMNEAL PHARMACEUTICALS, LLC; ANDA, INC.; APOTEX CORP.; ASSOCIATED PHARMACIES, INC.; AUBURN PHARMACEUTICAL COMPANY; BEDFORD LABORATORIES; BLOODWORTH WHOLESALE DRUGS, INC.; CARDINAL HEALTH, INC.; CEDARDALE DISTRIBUTORS LLC D/B/A GEN-SOURCE RX; CVS HEALTH CORPORATION; ECKERD CORPORATION; ECR PHARMACEUTICALS CO., INC.; EMERGENCY MEDICAL PRODUCTS, INC.; ENDO HEALTH SOLUTIONS, INC.; ENDO PHARMACEUTICALS, INC.; ETHEX CORPORATION; HOSPIRA, INC.; JANSSEN PHARMACEUTICALS, INC.; JOHNSON & JOHNSON; KEYSOURCE MEDICAL; THE KROGER CO.; KVK-TECH, INC.; MCKESSON CORPORATION; MEDISCA INC.; MIDWEST VETERINARY SUPPLY INC.; MWI VETERINARY SUPPLY; MYLAN PHARMACEUTICALS, INC.; N.C. MUTUAL WHOLESALE DRUG CO. A/K/A MUTUAL DRUG; OMNICARE DISTRIBUTION CENTER LLC; ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC. N/K/A JANSSEN PHARMACEUTICALS, INC.; JANSSEN PHARMACEUTICA INC., N/K/A JANSSEN PHARMACEUTICALS, INC.; NORAMCO, INC.; PAR PHARMACEUTICAL; PAR PHARMACEUTICAL COMPANIES, INC.; PATIENT FIRST CORPORATION; PATTERSON LOGISTICS SERVICES, INC.; PATTERSON VETERINARY SUPPLY INC.; PENN VETERINARY SUPPLY; PHARMEDIUM SERVICES LLC; PURDUE PHARMA L.P.; PURDUE PHARMA, INC.; PURDUE FREDERICK COMPANY, INC.; RHODES PHARMACEUTICALS; RITE AID CORPORATION; SANDOZ INC.; SMITH DRUG COMPANY A/K/A J M SMITH CORPORATION; SPECGX, LLC; SUN PHARMACEUTICAL INDUSTRIES, INC.; TEVA PHARMACEUTICALS USA, INC.; TEVA PHARMACEUTICAL INDUSTRIES, LTD.; THE HARVARD DRUG GROUP, L.L.C.; TOP RX, LLC; WALGREENS BOOTS ALLIANCE, INC.; WAL-MART INC.; WEST-WARD PHARMACEUTICALS CORP. K/N/A HIKMA PHARMACEUTICALS, INC.; CEPHALON, INC.; MALLINCKRODT LLC; MALLINCKRODT PLC.

**I, Robert K. Finnell, Counsel for Plaintiffs, certify that in identifying all Defendants, I have followed the procedure approved by the Court and reviewed the ARCOS data that I understand to be relevant to Plaintiffs.**

I further certify that, except as set forth below, each of the Defendant(s) newly added herein appears in the ARCOS data I reviewed.

I understand that for each newly added Defendant not appearing in the ARCOS data I must set forth below factual allegations sufficient to state a claim against any such newly named Defendant that does not appear in the ARCOS data.

The following newly added Defendant(s) *do not appear* in the ARCOS data I reviewed:

Dated: March 15, 2019

Signed: /s/ Robert K. Finnell

Factual Allegations Regarding Individual Defendants

2.1 Defendants ALLERGAN PLC, F/K/A ACTAVIS PLC; WATSON LABORATORIES, INC.; ADVANTAGE LOGISTICS; AMERICAN SALES COMPANY; AMERIDOSE, LLC; AMNEAL PHARMACEUTICALS, LLC; ANDA, INC.; APOTEX CORP.; ASSOCIATED PHARMACIES, INC.; AUBURN PHARMACEUTICAL COMPANY; BEDFORD LABORATORIES; BLOODWORTH WHOLESALE DRUGS, INC.; CEDARDALE DISTRIBUTORS LLC D/B/A GEN-SOURCE RX; CVS HEALTH CORPORATION; ECKERD CORPORATION; ECR PHARMACEUTICALS CO., INC.; EMERGENCY MEDICAL PRODUCTS, INC.; ETHEX CORPORATION; HOSPIRA, INC.; KEYSOURCE MEDICAL; THE KROGER CO.; KVK-TECH, INC.; MEDISCA INC.; MIDWEST VETERINARY SUPPLY INC.; MWI VETERINARY SUPPLY; MYLAN PHARMACEUTICALS, INC.; N.C. MUTUAL WHOLESALE DRUG CO. A/K/A MUTUAL DRUG; OMNICARE DISTRIBUTION CENTER LLC; PAR PHARMACEUTICAL COMPANIES, INC.; PAR PHARMACEUTICAL, INC.; PATIENT FIRST CORPORATION; PATTERSON LOGISTICS SERVICES, INC.; PATTERSON VETERINARY SUPPLY INC.; PENN VETERINARY SUPPLY; PHARMEDIUM SERVICES LLC; RHODES PHARMACEUTICALS; RITE AID CORPORATION; SANDOZ INC.; SMITH DRUG COMPANY A/K/A J M SMITH CORPORATION; SPECGX, LLC; SUN PHARMACEUTICAL INDUSTRIES, INC.; THE HARVARD DRUG GROUP, L.L.C.; TOP RX, LLC; WALGREENS BOOTS ALLIANCE, INC.; WAL-MART INC.; WEST-WARD PHARMACEUTICALS CORP. K/N/A HIKMA PHARMACEUTICALS, INC.; are hereby added as Defendants by this pleading based on the following jurisdictional allegations:

2.1.1 Defendant **Allergan Finance LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.** is hereby now named replacing Watson Pharmaceuticals, Inc. n/k/a Actavis Inc. Plaintiffs expressly incorporate the jurisdictional and factual allegations previously asserted in Plaintiffs' original complaint against Watson Pharmaceuticals, Inc. n/k/a Actavis Inc.

as if set forth in full herein against Allergan Finance LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.

2.1.2 Defendant **Advantage Logistics** is an Arizona corporation with its principal place of business in Scottsdale, Arizona. Advantage Logistics distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Advantage Logistics is being sued as a Distributor Defendant.

2.1.3 Defendant **American Sales Company LLC** is a Delaware corporation with its principal place of business in Lancaster, New York. **American Sales Company LLC** distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. American Sales Company LLC is being sued as a Distributor Defendant.

2.1.4 Defendant **Ameridose, LLC** is a Massachusetts limited liability company organized and existing under the laws of the Commonwealth of Massachusetts with a principal place of business in Westborough, Massachusetts. Ameridose, LLC distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Ameridose, LLC is being sued as a Distributor Defendant.

2.1.5 Defendant **Amneal Pharmaceuticals, LLC** is a Delaware corporation with its principal place of business in Bridgewater Township, New Jersey. Amneal was created when Amneal Pharmaceuticals, LLC merged with Impax in 2018. Amneal manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation

in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Amneal Pharmaceuticals, LLC is being sued as a Marketing Defendant.<sup>2</sup>

2.1.6 Defendant **Anda, Inc.** ("Anda"), through its various DEA registrant subsidiaries and affiliated entities, including but not limited to Anda Pharmaceuticals, Inc., is the fourth largest distributor of generic pharmaceuticals in the United States. Anda is a Florida corporation with its principal place of business in Weston, Florida. In October 2016, Defendant Teva acquired Anda from Allergan plc (*i.e.*, Defendant Actavis) for \$500 million. At all relevant times, Anda operated as a licensed pharmaceutical wholesaler in Plaintiffs' communities. Anda distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Anda is being sued as a Distributor Defendant.

2.1.7 Defendant **Apotex Corp.** is a Florida corporation with its principal office located in Weston, Florida. Apotex Corporation operates as a subsidiary of Apotex, Inc. Apotex Corp. manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Apotex Corp. is being sued as a Marketing Defendant.

2.1.8 Defendant **Associated Pharmacies, Inc.** is a Alabama corporation with its principal office located in Scottsboro, Alabama. Associated Pharmacies, Inc. operates as a subsidiary of American Associated Pharmacies, Incorporated. **Associated Pharmacies, Inc.** distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original

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<sup>2</sup> "Marketing Defendant" is the term used in the *The County of Summit, Ohio, et al., v. Purdue Pharma L.P., et al.*, Case No. 1:18-op-45090 pleadings. In Plaintiffs' original complaint, incorporated herein, the term "Manufacturer Defendants" was used to refer to the same entities. For the purposes of this Short Form Complaint, Plaintiffs use the term "Marketing Defendant" but expressly incorporates each and every jurisdictional and factual allegation previously asserted in Plaintiffs' original complaint against the "Manufacturing Defendants."

complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Associated Pharmacies, Inc. is being sued as a Distributor Defendant.

2.1.9 Defendant **Auburn Pharmaceutical Company** is a Michigan Corporation with its principal place of business in Troy, Michigan. Auburn Pharmaceutical Company distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Auburn Pharmaceutical Company is being sued as a Distributor Defendant.

2.1.10 Defendant **Bedford Laboratories** is an unincorporated division of Ben Venue Laboratories, Inc. and has its principal place of business within the Northern District of Ohio, in Bedford, Ohio. Ben Venue Laboratories is incorporated in the State of Delaware. Bedford Laboratories manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Bedford Laboratories is being sued as a Marketing Defendant.

2.1.11 Defendant **Bloodworth Wholesale Drugs, Inc.** is a Georgia Corporation with its principal place of business in Tifton, Georgia. Bloodworth Wholesale Drugs, Inc. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Bloodworth Wholesale Drugs, Inc. is being sued as a Distributor Defendant.

2.1.12 Defendant **Cedardale Distributors LLC d/b/a Gen-Source RX** is a New Jersey limited liability company with its principal office located in East Brunswick, New Jersey. Cedardale Distributors LLC distributed opioids, in violation of the duties owed to Plaintiffs as



set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Cedardale Distributors LLC is being sued as a Distributor Defendant.

2.1.13 Defendant **CVS Health Corporation** is a Delaware corporation with its principal place of business in Rhode Island. CVS Health Corporation conducts business as a licensed wholesale distributor under the following named business entities: CVS Indiana, L.L.C.; CVS Orlando FL Distribution; CVS Pharmacy, Inc.; CVS RX Services, Inc, d/b/a CVS Pharmacy Distribution Center; CVS TN Distribution, LLC ; and CVS VERO FL Distribution, L.L.C (collectively "CVS"). CVS is registered to conduct business and/or conducts business in Plaintiffs' community as a licensed wholesale pharmaceutical Distributor. CVS distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. CVS is being sued as a Distributor Defendant.

2.1.14 Defendant **Eckerd Corporation** d/b/a Eckerd Pharmacy ("Eckerd") is a Delaware corporation with its headquarters in Largo, Florida. Eckerd distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Eckerd is being sued as a Distributor Defendant.

2.1.15 Defendant **ECR Pharmaceuticals Co., Inc.** is a Delaware corporation (status withdrawn), a division of Valeant Pharmaceuticals North America LLC headquartered in Bridgewater, New Jersey. ECR Pharmaceuticals Co., Inc. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations

incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. ECR Pharmaceuticals Co., Inc. is being sued as a Distributor Defendant.

2.1.16 Defendant **Emergency Medical Products, Inc.** is a Wisconsin corporation headquartered in Cudahy, Wisconsin. Emergency Medical Products, Inc. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Emergency Medical Products, Inc. is being sued as a Distributor Defendant.

2.1.17 Defendant **Ethex Corporation** ("Ethex") was a wholly owned subsidiary of KV Pharmaceutical k/n/a AMAG Pharma USA, Inc., a Delaware corporation previously headquartered in St. Louis, Missouri, and currently headquartered in Waltham, Massachusetts. At all relevant times, Ethex manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Ethex is being sued as a Marketing Defendant.

2.1.18 Defendant **Hospira, Inc.** ("Hospira"), was an American global pharmaceutical company incorporated in Delaware and headquartered in Lake Forest, Illinois. Pfizer, Inc., a Delaware corporation headquartered in New York City, New York, acquired Hospira in 2015. At all relevant times, Hospira manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Hospira is being sued as a Marketing Defendant.

2.1.19 Defendant **KeySource Medical** is an Ohio corporation with its principal office located in Cincinnati, Ohio. KeySource Medical distributed opioids, in violation of the duties

owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. KeySource Medical is being sued as a Distributor Defendant.

2.1.20 Defendant **The Kroger Co. ("Kroger")** is an Ohio corporation with its headquarters in Cincinnati, Ohio. Fred Meyer, Inc. merged with Kroger in 1999. Kroger operates 2,268 pharmacies in the United States. Kroger distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Kroger is being sued as a Distributor Defendant.

2.1.21 Defendant **KVK-Tech, Inc. ("KVK")**, is a Pennsylvania corporation with its principal place of business in Newtown, Pennsylvania. KVK manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. KVK is being sued as a Marketing Defendant.

2.1.22 Defendant **Medisca Inc.** is headquartered in St. Laurent Quebec, Canada. Medisca Inc. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Medisca Inc. is being sued as a Distributor Defendant.

2.1.23 Defendant **Midwest Veterinary Supply Inc.** is a North Dakota corporation headquartered in Lakeville, Minnesota. Midwest Veterinary Supply Inc. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the

other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Midwest Veterinary Supply Inc. is being sued as a Distributor Defendant.

2.1.24 Defendant **MWI Veterinary Supply** is an Idaho corporation Headquartered in Boise, Idaho. MWI Veterinary Supply distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. MWI Veterinary Supply is being sued as a Distributor Defendant.

2.1.25 Defendant **Mylan Pharmaceuticals, Inc.** ("Mylan") is a Pennsylvania corporation, with its principal place of business located in Canonsburg, Pennsylvania. Mylan is a wholly owned subsidiary of Mylan Laboratories, Ltd., which is a wholly owned subsidiary of Mylan, Inc. Mylan manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Mylan is being sued as a Marketing Defendant.

2.1.26 Defendant **N.C. Mutual Wholesale Drug Co. a/k/a Mutual Drug** is a North Carolina company Headquartered in Durham, North Carolina. N.C. Mutual Wholesale Drug Co. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. N.C. Mutual Wholesale Drug Co. is being sued as a Distributor Defendant.

2.1.27 Defendant **Omnicare Distribution Center LLC ("Omnicare")** is a Delaware corporation with its principal place of business in Cincinnati, Ohio. Omnicare is a wholesale distributor of pharmaceutical drugs that distributed opioids, in violation of the duties owed to

Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Omnicare is being sued as a Distributor Defendant.

2.1.28 Defendant **Par Pharmaceutical, Inc.** is a Delaware corporation with its principal place of business located in Chestnut Ridge, New York. Par Pharmaceutical, Inc. is a wholly-owned subsidiary of Par Pharmaceutical Companies, Inc. f/k/a Par Pharmaceutical Holdings, Inc. Defendant **Par Pharmaceutical Companies, Inc.** is a Delaware corporation with its principal place of business located in Chestnut Ridge, New York. Par Pharmaceutical, Inc., and Par Pharmaceutical Companies, Inc., (collectively "Par Pharmaceutical") was acquired by Endo International plc in September 2015 and is an operating company of Endo International plc. Par Pharmaceutical is registered to conduct business and/or conducts business in Plaintiffs' community as a licensed wholesale pharmaceutical distributor. Par Pharmaceutical manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Par Pharmaceutical is being sued as a Marketing Defendant.

2.1.29 Defendant **Patient First Corporation** is a Virginia corporation headquartered in Richmond, Virginia. Patient First Corporation distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Patient First Corporation is being sued as a Distributor Defendant.

2.1.30 Defendant **Patterson Logistics Services, Inc.** is a Minnesota corporation headquartered in Saint Paul, Minnesota. Patterson Logistics Services, Inc. distributed opioids, in

violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Patterson Logistics Services, Inc. is being sued as a Distributor Defendant.

2.1.31 Defendant **Patterson Veterinary Supply Inc.** is a Minnesota corporation Headquartered in Saint Paul, Minnesota. Patterson Veterinary Supply Inc. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Patterson Veterinary Supply Inc. is being sued as a Distributor Defendant.

2.1.32 Defendant **Penn Veterinary Supply** is a Pennsylvania corporation headquartered in Lancaster, Pennsylvania. Penn Veterinary Supply distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Penn Veterinary Supply is being sued as a Distributor Defendant.

2.1.33 Defendant **PharMEDium Services LLC** is a Delaware limited liability company headquartered in Lake Forest, Illinois. PharMEDium Services LLC distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. PharMEDium Services LLC is being sued as a Distributor Defendant.

2.1.34 Defendant **Rhodes Pharmaceuticals** ("Rhodes") is a Delaware limited partnership formed in or around 2007 with headquarters located in Coventry, Rhode Island. Rhodes manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient

quantities to be a proximate cause of Plaintiffs' injuries. Rhodes is being sued as a Marketing Defendant.

2.1.35 Defendant **Rite Aid Corporation** ("Rite Aid") is a Delaware corporation with its principal place of business in Camp Hill, Pennsylvania. During all relevant times, Rite Aid distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Rite Aid is being sued as a Distributor Defendant.

2.1.36 Defendant **Sandoz Inc.** ("Sandoz") is a Colorado corporation with its principal place of business in Princeton, New Jersey. Sandoz manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Sandoz is being sued as a Marketing Defendant.

2.1.37 Defendant **Smith Drug Company**, a/k/a J M Smith Corporation, is registered with the West Virginia Secretary of State as a South Carolina corporation with its principal office located in Spartanburg, South Carolina, doing business as Smith Drug Company. Smith Drug Company distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Smith Drug Company is being sued as a Distributor Defendant.

2.1.38 Defendant **SpecGx, LLC** is a Delaware limited liability company with its headquarters in Clayton, Missouri, and is a wholly owned subsidiary of Mallinckrodt plc. Mallinckrodt plc, Mallinckrodt LLC, and SpecGx, and their DEA registrant subsidiaries and affiliates (together "Mallinckrodt") manufactures, promotes, distributes, and/or sells opioids

throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. SpecGx LLC is being sued as a Marketing Defendant.

2.1.39 Defendant **Sun Pharmaceutical Industries, Inc.** ("Sun"), headquartered in Cranbury, New Jersey, is a wholly owned subsidiary of Sun Pharmaceutical Industries Ltd., an Indian multinational pharmaceutical company headquartered in Mumbai, India. Sun manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Sun is being sued as a Marketing Defendant.

2.1.40 Defendant **The Harvard Drug Group, L.L.C.** is a Michigan limited liability company with its principal office located in Plymouth, Michigan. The Harvard Drug Group, L.L.C. distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. The Harvard Drug Group, L.L.C. is being sued as a Distributor Defendant.

2.1.41 Defendant **Top Rx, LLC** is a Delaware Corporation with its principal office in Bartlett, Tennessee. Top Rx, LLC distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Top Rx, LLC is being sued as a Distributor Defendant.

2.1.42 Defendant **Walgreens Boots Alliance, Inc.** ("Walgreens") is a Delaware corporation with its principal place of business in Deerfield, Illinois. During all relevant times, Walgreens distributed opioids, in violation of the duties owed to Plaintiffs as set forth in



Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Walgreens is being sued as a Distributor Defendant.

2.1.43 Defendant **Wal-Mart Inc.** ("Walmart") formerly known as Wal-Mart Stores, Inc., is a Delaware corporation with its principal place of business in Bentonville, Arkansas. Walmart is registered to conduct business and/or conducts business in Plaintiffs' Communities as a licensed wholesale distributor. Walmart distributed opioids, in violation of the duties owed to Plaintiffs as set forth in Plaintiffs' original complaint and the other allegations incorporated herein, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. Walmart is being sued as a Distributor Defendant.

2.1.44 Defendant **West-Ward Pharmaceuticals Corp.**, k/n/a Hikma Pharmaceuticals, PLC ("West-Ward") is a Delaware corporation with its headquarters in Eatontown, New Jersey. West-Ward manufactures, promotes, distributes, and/or sells opioids throughout Plaintiffs' Communities and/or the rest of the nation in violation of the duties owed to Plaintiff, in sufficient quantities to be a proximate cause of Plaintiffs' injuries. West-Ward Pharmaceuticals Corp. is being sued as a Marketing Defendant.

### **COMMON FACTUAL ALLEGATIONS**

3. By checking the boxes in this section, Plaintiffs hereby incorporate by reference to this document the common factual allegations set forth in the *Summit County* Pleadings as identified in the Court's Order implementing the Short Form procedure. Doc. #: 1282.

- ☒ Common Factual Allegations (Paragraphs 130 through 670 and 746 through 813)
- ☒ RICO Marketing Enterprise Common Factual Allegations (Paragraphs 814-848)
- ☒ RICO Supply chain Enterprise Common Factual Allegations (Paragraphs 849-877)

4. If additional claims are alleged below that were not pled in Plaintiffs' Existing Complaint (other than the RICO claims asserted herein), the facts supporting those allegations must be pleaded here. Plaintiffs assert the following additional facts to support the claim(s) identified in Paragraph 6 below (below or attached):

N/A

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### CLAIMS

5. The following federal **RICO causes of action** asserted in the *Summit County* Pleadings as identified in the Court's implementing order and any subsequent amendments, Doc. #: 1282, are incorporated in this Short Form by reference, in addition to the causes of action already asserted in the Plaintiffs' Existing Complaint (check all that apply):

☒ First Claim for Relief – Violation of RICO, 18 U.S.C. § 1961 *et seq.* – Opioid Marketing Enterprise (Against Defendants Purdue, Cephalon, Janssen, Endo and Mallinckrodt (the “RICO Marketing Defendants”)) (*Summit County* Pleadings, Paragraphs 878-905)

☒ Second Claim for Relief – Violation of RICO, 18 U.S.C. § 1961 *et seq.* – Opioid Supply Chain enterprise (Against Defendants Purdue, Cephalon, Endo, Mallinckrodt, Actavis, McKesson, Cardinal, and AmerisourceBergen (the “RICO Supply Chain Defendants”)) (*Summit County* Pleadings, Paragraphs 906-938)

6. Plaintiffs assert the following **additional claims** as indicated (below or attached):

N/A

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7. To the extent Plaintiffs wish to **dismiss claims** previously asserted in Plaintiffs' Complaint, they are identified below and will be dismissed without prejudice.

N/A

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WHEREFORE, Plaintiffs pray for relief as set forth in the *Summit County* Pleadings in *In Re National Prescription Opiate Litigation* in the United States District Court for the Northern

District of Ohio, MDL No. 2804 and in Plaintiffs' Existing Complaint as has been amended herein.

Dated: March 15, 2019

/s/ Robert K. Finnell

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*Attorney for Plaintiffs*

4848-3251-8795, v. 1

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of March, 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF systems.

By: /s/ Robert K. Finnell  
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